



# Harwich Maintenance Dredging Framework 2018 to 2021



Description of Contract Arrangements

HHA\_MD\_2017/2\_v1



## **Harwich Maintenance Dredging Framework 2018 to 2021 Description of Contract Arrangements**

### **Framework Principles**

1. The Harwich Haven Authority (HHA) intends to procure maintenance dredging services using a framework arrangement. Dredging contractors will be selected for appointment onto the framework based upon their submission documents in response to OJEU reference 184890-2017. The details are given in the Framework Document Pack, reference number HHA\_MD\_2017/3.
2. Under the framework individual Work Packages will be instructed by HHA using a Package Order. Each Work Package will cover the provision of maintenance dredging services over a set period of months. The dredging works required by HHA have been divided into three lots;
  1. Harbour works,
  2. Sediment placement works,
  3. Minor works.The details for the Work Packages are included with the framework documents as an example only and do not need to be returned with the framework submission. These are contained in the Work Package document pack, reference number HHA\_MD\_2017/4.
3. Prior to issuing a Package Order for any of the three lots, HHA will conduct a mini competition by requesting a quotation from each contractor on the framework. Each quotation must include a price list and a plan showing how the contractor intends to provide the service. Once appointed to a Work Package, the contractor carries out the work as shown in his plan and is paid in accordance with the price list and the payment mechanism contained in the contract documents. A summary of this process is set out in Clause 14 below.
4. Toward the end of the period covered by the Work Package, HHA will issue a request for a quotation to cover the next period.
5. The service must be provided in accordance with the requirements of the Service Information for the relevant Lot. Trailer dredgers to be used for works under Lot One are to be between 2,500 and 16,000m<sup>3</sup> hopper capacity.
6. HHA gives no undertaking to place any maximum or minimum levels of business with any contractor appointed to the framework.

### **General Information**

7. Submissions for a place on the framework must be submitted by Friday 14th July 2017. HHA intends to announce the successful applicants before the end of August, subject to the requirements of the Utility Contract Regulations. The first mini-competitions for Lots 1 and 2 will be held during October 2017.
8. HHA Staff

Responsible Officer - Contact Details

John Brien, Harbour Engineer  
Harwich Haven Authority  
Harbour House

The Quay  
Harwich  
Essex  
CO12 3HH  
United Kingdom  
Tel: +44 (0)1255 243030  
Email: [harbour.engineer@hha.co.uk](mailto:harbour.engineer@hha.co.uk)

Any questions relating to any document should in the first instance be addressed to the above but alternatively, the following person can be contacted at the same postal address and telephone number above:

Jim Warner, Assistant Harbour Engineer, email: [ah.engineer@hha.co.uk](mailto:ah.engineer@hha.co.uk)

## Conditions of Contract

9. The following conditions of contract shall apply;

- Contractors shall be appointed to the framework under the NEC3 Framework Contract;
- Framework contractors shall be appointed to carry out dredging works by the issue of a Package Order under the NEC3 Term Service Contract.

The following documents are referred to but not issued to Suppliers:

- The NEC3 Framework Contract (ISBN 0 7277 5901 6)
- The NEC3 Term Service Contract (ISBN 0 7277 5981 0)

All documents are published by Thomas Telford Ltd (a wholly owned subsidiary of the Institution of Civil Engineers).

10. The NEC3 Term Service Contract consists of core clauses and option clauses. For the avoidance of doubt the following option clauses are applicable;

- Option A Priced contract with price list
- dispute resolution Option W2
- Option X2
- Option X19

11. The NEC3 Term Service Contract includes Contract Data on specific items and which forms part of the contract. The Contract Data includes amendments to the core and option clauses. A number of additional clauses have also been included within the Contract Data and are identified as "Z" Clauses. Contractors must satisfy themselves as to the contents of these amended and additional clauses.

## Contract Documents

12. The following documents will form part of the framework. These are contained in the Framework document pack, reference number HHA\_MD\_2017/3.

- i. Form of Agreement
- ii. Contract Data
- iii. Contract Schedule 1 – Framework Information

- iv. Contract Schedule 2 – Scope
  - v. Contract Schedule 3 – Quotation Procedure
  - vi. Contract Schedule 4 – Selection Procedure
13. The following documents will form part of the contract for Package Orders and are included with the framework documents as an example only. These are contained in the Work Package document pack, reference number HHA\_MD\_2017/4.
- i. Contract Data – all work packages
  - ii. Contract Data – Lot One
  - iii. Contract Data – mini competition specifics
  - iv. Contract Schedule A – payment mechanism
  - v. Contract Drawings of the Affected Property
  - vi. Service Information – all lots
  - vii. Price List
  - viii. Supplier's Offer

### **Work Package Management**

14. The process for allocating and managing work packages is as follows;
- i. At various times through the life of the framework contract, HHA will issue a competition request to all contractors on the framework for the provision of services for a set period, including any relevant Contract Data specific to the Lot.
  - ii. Contractors who have suitable vessels available can tender for the works by returning the completed Contract Data, Price List and a plan showing how they intend to provide the service. Contractors are free to propose vessels and timings within the requirements of the Service Information and must enter quantities into the Price List to reflect their plan.
  - iii. The tenders will be assessed in two stages as follows;
    - a. The submitted plan will be checked for compliance with the requirements of the Service Information. Non-compliant plans will result in that tender being rejected.
    - b. The cost of works during the service period will be calculated using the submitted prices and the plan. For Lot One the price of the trailer dredger will be based on the submitted cubic metre rate and the quantity of material each vessel will remove.
  - iv. The contract will be awarded to the lowest priced tenderer with a compliant plan.
  - v. The cost of the completed works will be valued as set out in the Work Package Contract Schedule A – Payment Mechanism and summarised below;
    - a. Lot One
      - The price for each lump sum item,
      - The daily rate for supervision multiplied by the number of days worked,
      - The hourly rate of each support vessel multiplied by the number of hours worked,
      - The price of the trailer dredger. The cost of the dredger will be calculated using both the cubic metre rate and the hourly rate, with the payment being the lower of the two figures. If the hourly rate cost is

used for payment, the contractor will also be paid a bonus (the 'working incentive'). A pain/ gain share will then be applied to the payment, depending upon the relative density of each dredger load (the 'loading incentive').

b. Lot Two

- The Price for each lump sum,
- The daily rate for supervision multiplied by the number of days worked,
- The cubic metre rate of the trailer hopper suction dredger multiplied by the number of cubic metres placed measured in the hopper,
- The hourly stand by rate of the trailer hopper suction dredger multiplied by the number of hours on standby.

c. Lot Three

- The Price for each lump sum,
- The daily rate for supervision multiplied by the number of days worked,
- The hourly working rate of the water injection or other agitation dredger multiplied by the number of hours worked,
- The hourly stand by rate of the water injection or other agitation dredger multiplied by the number of hours on standby.